



**Judge Jack Pulcher**

105<sup>th</sup> District Court

Kleberg County Courthouse

700 E. Kleberg

Kingsville, Texas 78363

May 20, 2016

The Honorable Sharon Keller  
Presiding Judge Court of Criminal Appeals, Chair  
Texas Indigent Defense Commission  
209 West 14<sup>th</sup> Street, Room 202  
Austin, Texas 78701

The Honorable Olen Underwood  
Vice Chair  
Texas Indigent Defense Commission  
209 West 14<sup>th</sup> Street, Room 202  
Austin, Texas 78701

Mr. James Bethke  
Executive Director  
Texas Indigent Defense Commission  
209 West 14<sup>th</sup> Street, Room 202  
Austin Texas 78701

Re: Response to Policy Monitoring Review of Kleberg County's Indigent Defense Systems

Dear Commission Leadership:

Thank you for your work in reviewing Kleberg County's Indigent Defense processes and offering recommendations. The thorough review will assist us in changing a few policy and procedures. Attached is Kleberg County's Response to the Texas Indigent Defense Commissions review conducted on January 14, 2016.

Respectfully,

Amanda M. De LaCerde  
105<sup>th</sup> District Court Administrator/TIDC Coordinator

In regards to Recommendation 1 (Regarding Local Practices for conducting article 15.17 Hearings), Recommendation 2 (Regarding Local Practices for Conducting Article 15.17 Hearings), Recommendation 3 (Regarding Prompt Appointment of Counsel) and recommendation 5 (Regarding Texas Judicial Counsel Monthly Court Activity Reports and after reviewing TIDC recommendations as well as attached documents; the attached forms have been forwarded to the magistrates for use from here forward. A meeting with the magistrates and all departments involved in the process will be held. Due to scheduling conflicts we have been unable to hold this meeting before the response is due but the meeting will take place within the next few weeks. The meeting will cover everyone's role in the process as well as the Recommendations and Statutory Requirements for each department.

In addition, after meeting with Administrative Judge Jack Pulcher and County Judge Rudy Madrid, we feel it is in the best interest of the county and in order to maintain compliance with TIDC standards; that an application for a Targeted Specific Grant will be applied for to effectively eliminate any future issues. By creating a position for a Magistrate Coordinator, the person hired would be responsible for ensuring relevant information is filled out on request forms, all pertinent information is file stamped as well as create files for Arrest Cases for the District Clerks office. This would ensure that magistration paperwork and Indigent request forms are maintained in the standard course of business and available should TIDC need to review in the future. Said person would also be responsible for delivering the files daily to the District and County Court Coordinators and/or in a timely manner in accordance with the Fair Defense Act. Once the courts have reviewed cases and counsel are appointed, the files would then be forwarded to the District/County Clerk's office for record keeping.

As to Recommendation 4 (Regarding Waiver of Counsel), correspondence was exchanged with County Attorney Kira Talip and Assistant County Attorney J. Dean Craig. They have reviewed the recommendation and have amended their plea paperwork to include language from Article 1.051(g). Please see attached.

To ensure future compliance, an oversight panel will be put together and meet periodically to address any question or issues that may arise as well as monitor compliance. All changes will result in more training for everyone involved. If you need any further information, please let me know.